

STATE OF WISCONSIN

Senate Journal

Eighty-Seventh Regular Session

THURSDAY, March 6, 1986

10:00 A.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

The senate stood for the prayer which was offered by Pastor Jeff Martin of the Madison Gospel Tabernacle, Madison.

The senate remained standing and Senator Chilsen led the senate in the pledge of allegiance to the flag of the United States of America.

The roll was called and the following senators answered to their names:

Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Sutt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 73

Directing the legislative fiscal bureau to study the prevalence and financial and policy impacts of deferred spending programs and local mandates in state budget acts.

By Senators Engeleiter, Ellis, Leean, Hanaway, Chilsen, Lorman, Kreul, Theno, Davis, McCallum and Stitt; cosponsored by Representatives Margaret Lewis, Turba, Rosenzweig, Schneiders, Cowles, J. Young, Zeuske, Buettner, Welch, Ourada, Johnsrud, Schultz and York.

To joint committee on Finance.

Senate Joint Resolution 74

Directing the legislative council to study different approaches to managing the state budget and state spending.

By Senators Engeleiter, Ellis, Leean, Hanaway, Chilsen, Lorman, Kreul, Theno, Davis, McCallum and Stitt; cosponsored by Representatives Margaret Lewis, Turba, Rosenzweig, Schneiders, Cowles, J. Young, Zeuske, Buettner, Welch, Ourada, Johnsrud, Schultz and York.

To joint committee on Finance.

Senate Joint Resolution 75

Relating to creating a special joint rule requiring a public hearing on all spending proposals and amendments.

By Senators Engeleiter, Ellis, Leean, Hanaway, Chilsen, Lorman, Kreul, Theno, Davis, McCallum and Stitt; cosponsored by Representatives Turba, Rosenzweig, Schneiders, Cowles, J. Young, Zeuske, Buettner, Welch, Ourada, Johnsrud and Schultz.

To joint committee on Finance.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 597

Relating to prohibiting certain health care plans from requiring referrals before services are obtained at sexual assault treatment centers and granting rule-making authority.

By Senators Ulichny and Hanaway; cosponsored by Representatives Notestein, Fergus, Becker and Rosenzweig.

To committee on Agriculture, Health and Human Services.

Senate Bill 598

Relating to physical standards for school bus operators.

By Senators Van Sistine, Otte, Chvala, Kincaid, Leean, Theno, Andrea, Plewa, Feingold, Kreul, Rude, Ellis and Lasee; cosponsored by Representatives Vanderperren, Matty, Robinson, Hasenohrl, Volk, Bolle, Swoboda, Prosser, Van Gorden, Schmidt, McEssy, Bradley, Holschbach, Gronemus and Hephner.

To committee on Transportation.

Senate Bill 599

Relating to limiting the recovery for damages resulting from negligent operation of a motor vehicle owned and operated by a municipality or other political subdivision.

By Senators Kincaid and Kreul; cosponsored by Representatives Hasenohrl, Bolle and Shoemaker.

To committee on Judiciary and Consumer Affairs.

Senate Bill 600

Relating to discharge of hazardous substances and providing for immunity.

By Senator Andrea; cosponsored by Representatives Antaramian.

To committee on Judiciary and Consumer Affairs.

Senate Bill 601

Relating to uses of certain lands, partly submerged in Lake Michigan, to the city of Milwaukee.

By Senators Plewa, George and Norquist; cosponsored by Representatives Becker, Barrett, S. Coggs, Grobschmidt, Krug, Carpenter, Williams and Seery.

To committee on Energy and Environmental Resources.

Senate Bill 602

Relating to export loans, economic development loans and disclosure of grant or loan information.

By Senators Ulichny, Plewa, Kreul and Kincaid; cosponsored by Representatives Antaramian, Mark Lewis and Ladwig, by request of Governor Anthony S. Earl.

To Joint Survey committee on Debt Management.

Senate Bill 603

Relating to children who are not responsible for their illegal acts because of mental disease or mental defect and granting rule-making authority.

By Senators McCallum, Lorman and Ellis; cosponsored by Representatives Schmidt, Buettner, Byers and Goetsch.

To committee on Judiciary and Consumer Affairs.

Senate Bill 604

Relating to adult family homes and providing a penalty.

By Senators Otte and Risser; cosponsored by Representatives Robinson and Medinger, by request of the Department of Health and Social Services.

To committee on Agriculture, Health and Human Services.

Senate Bill 605

Relating to the recommendations made by planning councils under the special transfer program to reduce racial imbalance.

By Senators George, Norquist, Czarnecki and Lee; cosponsored by Representatives Notestein, M. Coggs, Krug, Seery, Crawford, Carpenter, Barrett and S. Coggs.

To committee on Education and Government Operations.

Senate Bill 606

Relating to limitations on attorneys receiving contingency fees.

By Senators Hanaway and Engeleiter.

To committee on Judiciary and Consumer Affairs.

Senate Bill 607

Relating to small claims actions.

By Senators Hanaway and Engeleiter.

To committee on Judiciary and Consumer Affairs.

Senate Bill 608

Relating to liability for damages resulting from the negligent operation of a motor vehicle owned and operated by a municipality.

By Senators Hanaway and Engeleiter.

To committee on Judiciary and Consumer Affairs.

Senate Bill 609

Relating to comparative negligence.

By Senators Hanaway and Engeleiter.

To committee on Judiciary and Consumer Affairs.

Senate Bill 610

Relating to punitive damages.

By Senators Hanaway and Engeleiter.

To committee on Judiciary and Consumer Affairs.

Senate Bill 611

Relating to product liability actions.

By Senators Hanaway, Engeleiter, Rude, Stitt, McCallum, Theno, Leean, Lorman and Kreul; cosponsored by Representatives Schneiders, Rosenzweig, Zeuske, Margaret Lewis, Cowles, Ourada, T. Thompson, Musser, Buettner, J. Young and Ladwig.

To committee on Judiciary and Consumer Affairs.

Senate Bill 612

Relating to removing certain restrictions on indexing the individual income tax brackets and standard deduction.

By Senators Engeleiter, Ellis, Leean, Chilsen, Hanaway, Lorman, Kreul, Theno, Davis, McCallum and Stitt; cosponsored by Representatives Margaret Lewis, Turba, Rosenzweig, Schneiders, Cowles, J. Young, Zeuske, Buettner, Welch, Ourada, Johnsrud, Schultz and York.

To joint committee on Finance.

Senate Bill 613

Relating to fiscal estimates on bills and rule-making orders.

By Senators Engeleiter, Ellis, Leean, Hanaway, Chilsen, Kreul, Theno, Davis, McCallum and Stitt; cosponsored by Representatives Margaret Lewis, Turba, Rosenzweig, Schneiders, Cowles, J. Young, Zeuske, Buettner, Welch, Ourada, Johnsrud, Schultz and York.

To joint committee on Finance.

Senate Bill 614

Relating to creation of a joint survey committee on local mandates, and making an appropriation.

By Senators Engeleiter, Ellis, Leean, Chilsen, Hanaway, Lorman, Kreul, Theno and Stitt; cosponsored by Representatives Margaret Lewis, Turba, Rosenzweig, Schneiders, Cowles, J. Young, Zeuske, Buettner, Welch, Ourada, Johnsrud, Schultz and York.

To joint committee on Finance.

Senate Bill 615

Relating to providing that the legislative information service take messages on waste, fraud and abuse in state government

By Senators Engeleiter, Ellis, Hanaway, Chilsen, Kreul, Theno, Davis and Stitt; cosponsored by Representatives Margaret Lewis, Turba, Rosenzweig, Schneiders, Cowles, J. Young, Zeuske, Buettner, Welch, Ourada, Johnsrud and Schultz.

To joint committee on Finance.

COMMITTEE REPORTS

The committee on Judiciary and Consumer Affairs reports and recommends:

Assembly Bill 420

Relating to trademarks and providing penalties.

Concurrence:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Assembly Bill 425

Relating to videotape statements and depositions by children.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 4 -- Senators Adelman, Chvala, Hanaway and Lorman;

Noes, 1 -- Senator Feingold.

Assembly Bill 498

Relating to arbitrators.

Concurrence:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Assembly Bill 501

Relating to fees paid by a party demanding a jury.

Concurrence:

Ayes, 4 -- Senators Adelman, Chvala, Hanaway and Lorman;

Noes, 1 -- Senator Feingold.

Assembly Bill 672

Relating to records of certificates issued by clerks of circuit court.

Concurrence:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Assembly Bill 673

Relating to creating medical assistance penalties.

Concurrence:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Senate Bill 473

Relating to adverse possession of real property that is subject to tax sale.

Adoption of senate amendment 1:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Senate Bill 534

AN ACT to repeal various provisions of session laws for the purpose of eliminating unnecessary and obsolete provisions regarding courts.

Passage:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Senate Bill 570

Relating to safety at sporting events held at sports facilities, citation procedures and providing a penalty.

Adoption of senate amendment 1:

Ayes, 4 -- Senators Adelman, Feingold, Hanaway and Lorman;

Noes, 0 -- None.

Adoption of senate amendment 2:

Ayes, 3 -- Senators Adelman, Feingold, and Hanaway;

Noes, 1 -- Senator Lorman.

Passage:

Ayes, 3 -- Senators Adelman, Feingold, and Hanaway;

Noes, 1 -- Senator Lorman.

LYNN S. ADELMAN
Chair

The joint committee on Finance reports and recommends:

Senate Bill 81

Relating to expanding the type of deferred compensation plans available to public employees.

Introduction and adoption of senate amendment 1:

Ayes, 15 -- Senators George, Roshell, Strohl, Norquist, Chvala, Stitt and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Passage as amended:

Ayes, 15 -- Senators George, Roshell, Strohl, Norquist, Chvala, Stitt and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Senate Bill 345

Relating to: review of bills providing for regulation of an occupation previously not regulated; the membership of the examining boards and examining councils attached to the department of regulation and licensing; revising the disciplinary procedures for the department of regulation and licensing and the examining boards in the department; authorizing the department of regulation and licensing to specify the number of business days within which determinations on license applications must be made; eliminating restrictions on advertising and certain other practices by persons

licensed, registered or certified by the department of regulation and licensing; and granting rule-making authority.

Introduction and adoption of senate amendment 1 to senate substitute amendment 1:

Ayes, 10 -- Senators George, Roshell, Strohl, Norquist, Helbach and Stitt, Representatives Schneider, Metz, Jauch and Panzer;

Noes, 2 -- Senator Davis, Representative Prosser.

Introduction and adoption of senate amendment 2 to senate substitute amendment 1:

Ayes, 9 -- Senators George, Roshell, Strohl, Stitt and Davis, Representatives Metz, Travis, Nelsen and Prosser;

Noes, 3 -- Representatives Schneider, Jauch and Kunicki.

Adoption of senate substitute amendment 1 as amended:

Ayes, 12 -- Senators George, Roshell, Strohl, Stitt and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen and Prosser;

Noes, 0 -- None.

Passage as amended:

Ayes, 11 -- Senators George, Roshell, Strohl, Stitt and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki and Nelsen;

Noes, 1 -- Representative Prosser.

Senate Bill 371

Relating to creating an inactive licensee category for real estate brokers and salespersons, changing the educational requirements for brokers and salespersons and granting rule-making authority.

Adoption of senate amendment 1:

Ayes, 13 -- Senators George, Roshell, Strohl, Stitt and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Passage as amended:

Ayes, 14 -- Senators George, Roshell, Strohl, Chvala, Stitt and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Assembly Bill 432

Relating to allowing certain semitrailers to be operated without a permit.

Concurrence:

Ayes, 15 -- Senators George, Roshell, Strohl, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 1 -- Senator Norquist.

Senate Bill 318

Relating to various changes in the law regulating public utilities, making an appropriation and granting rule-making authority.

Introduction and adoption of senate substitute amendment 2:

Ayes, 14 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala and Davis, Representatives Metz, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Passage as amended:

Ayes, 15 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Senate Bill 437

Relating to the information on equalized values that the department of revenue is required to provide.

Passage:

Ayes, 16 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

GARY R. GEORGE

Senate Chair

The committee on Transportation reports and recommends:

Senate Bill 390

Relating to weight limitations for vehicles used primarily to transport septage.

Introduction and adoption of senate substitute amendment 1:

Ayes, 6 -- Senators Otte, Moen, Roshell, Andrea, Kreul and Theno;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Otte, Moen, Roshell, Andrea, Kreul and Theno;

Noes, 0 -- None.

CARL OTTE

Chair

The committee on Labor, Business, Veterans Affairs and Insurance reports and recommends:

MITCHELL, SNOW, JR., of Milwaukee, as a member of the Community Development Finance Authority to serve for the term ending September 1, 1990.

Confirmation:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

DRYER, MARIANNE, of Madison, as a member of the Community Development Finance Authority to serve for the term ending September 1, 1987.

Confirmation:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Senate Joint Resolution 8

Relating to excepting bingo games licensed by the state and operated by residential facilities for elderly persons from the prohibition against legislative authorization of lotteries (first consideration).

Adoption:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Senate Joint Resolution 56

Requesting the legislative council to study the need for long-term health or custodial care insurance and the means for encouraging the offering of such insurance.

Adoption of senate amendment 1:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Adopted as amended:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Senate Bill 417

Relating to conversion of mutual life insurance companies to stock life insurance companies.

Introduction and adoption of senate amendment 1:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Senate Bill 471

Relating to migrant worker recruitment and hiring, removing the correction period for certain repeated violations of the migrant labor work agreement and camp certification laws, increasing the penalty for certain repeated violations of the migrant labor camp certification law and providing a penalty.

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Senate Bill 538

Relating to denials of applications for alcohol beverages licenses.

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Assembly Bill 386

Relating to labeling requirements for used oil, liens for petroleum product inspection fees and regulation and inspection of amusement rides and ski lifts (suggested as remedial legislation by the department of industry, labor and human relations).

Introduction and adoption of senate amendment 1:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Assembly Bill 387

Relating to product liability insurance reports. Introduction and adoption of senate substitute amendment 1:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

JEROME VAN SISTINE
Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Bill 356

Relating to crime victim compensation.

Passage:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Senate Bill 378

Relating to payment of fines as a condition of probation.

Passage:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Senate Bill 459

Relating to bonds maintained by fitness centers.

Passage:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Senate Bill 461

Relating to satisfactions of judgments by attorneys.

Passage:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Senate Bill 477

Relating to summary probate procedures.

Passage:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Senate Bill 499

Relating to creating a crime prevention program for juvenile offenders and making an appropriation.

Introduction and adoption of senate amendment 1:
Ayes, 5 -- Senators Adelman, Feingold, Chvala,
Hanaway and Lorman;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Adelman, Feingold, Chvala,
Hanaway and Lorman;

Noes, 0 -- None.

Assembly Bill 70

Relating to rights of law enforcement officers.

Concurrence:

Ayes, 5 -- Senators Adelman, Feingold, Chvala,
Hanaway and Lorman;

Noes, 0 -- None.

Assembly Bill 412

Relating to duty to report crimes and providing penalties.

Concurrence:

Ayes, 5 -- Senators Adelman, Feingold, Chvala,
Hanaway and Lorman;

Noes, 0 -- None.

Assembly Bill 433

Relating to requiring a due process hearing for certain law enforcement officers.

Concurrence:

Ayes, 5 -- Senators Adelman, Feingold, Chvala,
Hanaway and Lorman;

Noes, 0 -- None.

Assembly Bill 652

Relating to civil actions to enforce the state fair housing law.

Concurrence:

Ayes, 5 -- Senators Adelman, Feingold, Chvala,
Hanaway and Lorman;

Noes, 0 -- None.

LYNN ADELMAN

Chair

The committee on Education and Government Operations reports and recommends:

Senate Bill 276

Relating to prohibiting the use of corporal punishment in public and private schools.

Introduction and adoption of senate amendment 1:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach,
Moen, Otte, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Czarnezki, Adelman, Helbach,
Moen and Otte;

Noes, 3 -- Senators Davis, Harsdorf and Lorman.

Senate Bill 342

Relating to requiring state executive branch departments and agencies and state authorities to submit their budget requests at least once every 6 years using the principles of zero-based budgeting.

Passage:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach,
Moen, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

Senate Bill 346

Relating to the hiring of minority group personnel by certain school districts.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Czarnezki, Helbach, Moen,
Harsdorf and Lorman;

Noes, 2 -- Senators Adelman and Davis.

Passage as amended:

Ayes, 4 -- Senators Czarnezki, Helbach, Moen and
Lorman;

Noes, 3 -- Senators Adelman, Davis and Harsdorf.

Senate Bill 485

Relating to an exemption from licensing and other regulation as a private detective, investigator or private security person.

Introduction and adoption of senate substitute amendment 1:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach,
Moen, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Czarnezki, Adelman, Helbach,
Davis, Harsdorf and Lorman;

Noes, 1 -- Senator Moen.

Assembly Bill 350

Relating to the form of notification provided to individuals filing statements of economic interests of inspections of their statements.

Concurrence:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach,
Moen, Otte, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

Assembly Bill 383

Relating to reporting of governmental payments by state public officials (suggested as remedial legislation by the ethics board).

Introduction and adoption of senate amendment 1:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach,
Moen, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach,
Moen, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

Assembly Bill 407

Relating to state records and forms management and reporting, standards for photographic reproduction of public records, preservation of essential public records, availability of services provided by the microfilm laboratory of the department of health and social services and printing by prison industries.

Introduction and adoption of senate amendment 1:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach,
Moen, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach,
Moen, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

Assembly Bill 519

Relating to requiring school boards to provide instruction to pupils in protective behaviors and directing the department of public instruction to train public and private school staff and assist public and private schools in developing protective behaviors programs.

Concurrence:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach,
Moen, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

Assembly Bill 576

Relating to the sale of goods and services to pupils, school districts and cooperative educational service agencies by school district or agency employes and providing a penalty.

Concurrence:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach,
Moen, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

Assembly Bill 593

Relating to referenda on school district consolidations.

Concurrence:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach,
Moen, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

JOSEPH J. CZARNEZKI
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of State

March 4, 1986

To the Honorable the Senate

I have the honor to transmit to you the following information pursuant to s. 13.685(7):

Sincerely,
DOUGLAS LAFOLLETTE
Secretary of State

NEWLY REGISTERED LOBBYISTS AND THEIR PRINCIPALS:

BROYDRICK, WILLIAM, 817 N. Marshall,
Milwaukee, WI 53202 (414) 224-9393

Motor Cycle Industry Council, 3151 Airway Ave.,
Bldg. P-1, Costa Mesa, CA 92626 (714) 241-8547
(regulation affecting franchise leases)

HANSON, THOMAS S., 23 N. Pinckney St., Madison,
WI 53703 (608) 256-5299

WI Advertising Publishers Assn., Attn: Bartlett
Olson, P.O. Box 217, 327 Palisade St., Merrimac, WI
53561 1-800-362-7212

Special Lobbying Registration Statements:

Communication Workers of America, Local 5530,
Attn: Ronald Bredeson, 821 Williamson St., Madison,
WI 53703 (608) 255-2155

Lobbyists: Ronald R. Bredeson, Audrey Ruiz de
Chaultz and Bonnie Murphy

Newspapers, Inc., Attn: Paul E. Kritzer, 333 W.
State St., Milwaukee, WI 53203 (414) 224-2374

Lobbyist: Robert A. Christensen

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

March 4, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DIANE N. BARNIDGE of Madison to the Cosmetology Examining Board pursuant to the statute governing, to serve for the term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

Read first time and referred to committee on
Agriculture, Health and Human Services.

State of Wisconsin
Office of the Governor

March 4, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LYNN NIMZ of Wausau to the Waste Facility Siting Board pursuant to the statute governing for a term to expire May 1, 1989.

Respectfully,
ANTHONY S. EARL
Governor

Read first time and referred to committee on Energy
and Environmental Resources.

State of Wisconsin
Office of the Governor

March 4, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint WAYNE R. EMBRY of River Hills to the Medical College of Wisconsin Board of Trustees pursuant to the statute governing, to serve for the term to expire May 1, 1992.

Respectfully,
ANTHONY S. EARL
Governor

Read first time and referred to committee on
Agriculture, Health and Human Services.

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State of Wisconsin
Office of the Governor

March 4, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JAMES CARLEY of Madison, to the Public Defender Board pursuant to the statute governing, to serve for the term to expire May 1, 1989.

Respectfully,
ANTHONY S. EARL
Governor

Read first time and referred to committee on
Judiciary and Consumer Affairs.

State of Wisconsin
Office of the Governor

March 4, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint CHARLES F. KAHN of Shorewood to the Public Defender Board pursuant to the statute governing, to serve for the term to expire May 1, 1989.

Respectfully,
ANTHONY S. EARL
Governor

Read first time and referred to committee on
Judiciary and Consumer Affairs.

State of Wisconsin
Office of the Governor

March 4, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DAGOBERTO IBARRA of Waukesha to the Public Defender Board pursuant to the statute governing, to serve for the term to expire May 1, 1989.

Respectfully,
ANTHONY S. EARL
Governor

Read first time and referred to committee on
Judiciary and Consumer Affairs.

State of Wisconsin
Office of the Governor

March 4, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SUSAN K. LYNCH of Stevens Point to the Public Defender Board pursuant to the statute governing, to serve for the term to expire May 1, 1987.

Respectfully,
ANTHONY S. EARL
Governor

Read first time and referred to committee on
Judiciary and Consumer Affairs.

State of Wisconsin
Office of the Governor

March 4, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ELIZABETH KING of Green Bay to the Judicial Commission pursuant to the statute governing, to serve for the term to expire August 1, 1989.

Respectfully,
ANTHONY S. EARL
Governor

Read first time and referred to committee on
Judiciary and Consumer Affairs.

State of Wisconsin
Office of the Governor

March 4, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MARJORIE KINNEY of Superior to the Wisconsin Housing and Economic Development Authority pursuant to the statute governing, to serve for the term to expire January 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

Read first time and referred to committee on
Economic Development.

State of Wisconsin
Office of the Governor

March 4, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JAMES T. SYKES of Madison to the Wisconsin Housing and Economic Development Authority pursuant to the statute governing, to serve for the term to expire January 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

Read first time and referred to committee on
Economic Development.

State of Wisconsin
Office of the Governor

March 4, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DR. RANDY AHLSTROM of Tomah to the Optometry Examining Board pursuant to the statute governing, to serve for the term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

Read first time and referred to committee on Agriculture, Health and Human Services.

State of Wisconsin
Office of the Governor

March 4, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MARY BETH ARNETT of Madison to the Optometry Examining Board pursuant to the statute governing, to serve for the term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

Read first time and referred to committee on Agriculture, Health and Human Services.

State of Wisconsin
Office of the Governor

March 4, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DIANE M. ANDREWS of Wheeler to the Cosmetology Examining Board pursuant to the statute governing, to serve for the term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

Read first time and referred to committee on Agriculture, Health and Human Services.

CALENDAR OF MARCH 6

By request of Senator Cullen, with unanimous consent, the appointments were considered enmasse.

DRYER, MARIANNE, of Madison, as a member of the Community Development Finance Authority to serve for the term ending September 1, 1987.
Read.

MITCHELL, SNOW, JR., of Milwaukee, as a member of the Community Development Finance Authority to serve for the term ending September 1, 1990.
Read.

The question was: Shall the appointments be confirmed?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnetzki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Lekan, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the appointments were confirmed.

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in:

Assembly Bill 48
Assembly Bill 375
Assembly Bill 594
Assembly Bill 595
Assembly Bill 610
Assembly Bill 625
Assembly Bill 749
Assembly Bill 760
Assembly Bill 761
Assembly Bill 826
Assembly Bill 848
Assembly Bill 464

Concurred in:

Senate Joint Resolution 70
Assembly Bill 191, Committee of Conference Report
Assembly Bill 392, senate amendments 1 and 2

Amended and concurred in as amended:

Assembly Bill 391, assembly amendment 1 to senate amendment 2

Assembly Bill 219, assembly amendment 1 to senate substitute amendment 1

Senate Joint Resolution 69, assembly amendment 1

Adheres to its position on assembly amendment 11 to **Senate Bill 118** and requests a Committee of Conference

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 48

Relating to possession of a firearm by a person who has a previous felony conviction.

By Representatives Radtke, R. Thompson, Panzer, Goetsch and Welch, cosponsored by Senators Van Sistine and Ellis.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 375

Relating to creating penalties for habitual truancy and contributing to or encouraging a child's truancy.

By Representatives Krusick and Potter, cosponsored by Senator Otte.

Read first time and referred to committee on Education and Government Operations.

Assembly Bill 594

Relating to conversion of mutual life insurance companies to stock life insurance companies.

By Representative Hauke, by request of Northwestern Mutual Life Insurance Company.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

Assembly Bill 595

Relating to changes to the insurance security fund.

By Representative Hauke, by request of Wisconsin Insurance Security Fund.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

Assembly Bill 610

Relating to underage persons on premises of curling clubs with alcohol beverages licenses or permits and operating hours of curling clubs with alcohol beverages licenses or permits.

By Representatives Hasenohrl, Vanderperren, Barrett, Holperin, Gronemus, Bradley, McEssy, Looby, Robinson and Holschbach, cosponsored by Senator Helbach.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

Assembly Bill 625

Relating to removing a cardiac program from required capital expenditure review approval.

By Representatives Robinson, Magnuson, Black, D. Travis and Notestein, cosponsored by Senators Risser, Lorman, Feingold, Strohl and Chvala.

Read first time and referred to committee on Agriculture, Health and Human Services.

Assembly Bill 749

Relating to real estate transfer forms.

By Representatives Seery, Bell, Bolle, R. Young and Volk, cosponsored by Senator Strohl.

Read first time and referred to committee on Energy and Environmental Resources.

Assembly Bill 760

Relating to powers of court commissioners in proceedings supplementary to execution.

By Representative Rutkowski, cosponsored by Senator Adelman, by request of Judicial Council.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 761

Relating to sequestration of jurors in criminal trials.

By Representative Crawford, cosponsored by Senator Adelman, by request of Judicial Council.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 826

Relating to eligibility of employes of a sewerage commission of a 1st class city for certain benefits.

By Representatives S. Coggs, Notestein, Crawford, Barrett, Krusick, Bell, M. Coggs and Seery, cosponsored by Senators Norquist, George and Plewa.

Read first time and referred to committee on Urban Affairs, Utilities and Elections.

Assembly Bill 848

Relating to partial incentive payments and education vouchers for persons employed by the Wisconsin conservation corps.

By Representatives Metz and Holperin.

Read first time and referred to committee on Energy and Environmental Resources.

Assembly Bill 464

Relating to nomination, appointment, qualification and service of election officials and observers.

By Representatives Radtke, Crawford, Wimmer, Coleman and Manske.

Read first time and referred to committee on Urban Affairs, Utilities and Elections.

CALENDAR OF MARCH 6

Senate Joint Resolution 1

Relating to authorizing the creation of a Wisconsin state lottery (first consideration).

Read.

The question was: Concurrence of assembly amendment 1?

Senator Van Sistine moved non-concurrence of assembly amendment 1.

Senator Norquist in the chair.

10:35 A.M.

The question was: Non-concurrence of assembly amendment 1?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 20; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Cullen, Ellis, George, Helbach, Kincaid, Moen, Otte, Plewa, Roshell, Strohl, Ulichny and Van Sistine -- 13.

Noes -- Senators Adelman, Chilsen, Chvala, Czarnezki, Davis, Engeleiter, Feingold, Hanaway, Harsdorf, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Norquist, Risser, Rude, Stitt and Theno -- 20.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Concurrence of assembly amendment 1?

Concurred in.

The question was: Concurrence of assembly amendment 6:

Senator Van Sistine moved non-concurrence of assembly amendment 6.

Senator Helbach in the chair.

10:35 A.M.

The question was: Non-concurrence of assembly amendment 6?

JOURNAL OF THE SENATE [March 6, 1986]

The ayes and noes were demanded and the vote was: ayes, 14; noes, 19; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Chilsen, Cullen, Ellis, Kincaid, Lasee, Moen, Otte, Plewa, Roshell, Rude, Strohl, Theno and Van Sistine -- 14.

Noes -- Senators Adelman, Chvala, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kreul, Lee, Lekan, Lorman, McCallum, Norquist, Risser, Stitt and Ulichny -- 19.

Absent or not voting -- None.

So the motion did not prevail.

Senate amendment 1 to assembly amendment 6 offered by Senator Lee.

The question was: Adoption of senate amendment 1 to assembly amendment 6?

Senator Risser moved rejection of senate amendment 1 to assembly amendment 6.

The question was: Rejection of senate amendment 1 to assembly amendment 6?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chvala, Czarnezki, Davis, Engeleiter, Feingold, Hanaway, Harsdorf, Helbach, Lekan, Lorman, McCallum, Norquist, Risser, Stitt and Ulichny -- 16.

Noes -- Senators Andrea, Chilsen, Cullen, Ellis, George, Kincaid, Kreul, Lasee, Lee, Moen, Otte, Plewa, Roshell, Rude, Strohl, Theno and Van Sistine -- 17.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 1 to assembly amendment 6?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Chilsen, Cullen, Ellis, George, Kincaid, Kreul, Lasee, Lee, Moen, Otte, Plewa, Roshell, Rude, Strohl, Theno, Ulichny and Van Sistine -- 18.

Noes -- Senators Adelman, Chvala, Czarnezki, Davis, Engeleiter, Feingold, Hanaway, Harsdorf, Helbach, Lekan, Lorman, McCallum, Norquist, Risser and Stitt -- 15.

Absent or not voting -- None.

So the amendment was adopted.

Senate amendment 2 to assembly amendment 6 offered by Senator McCallum.

The question was: Adoption of senate amendment 2 to assembly amendment 6?

Adopted.

The question was: Concurrence of assembly amendment 6?

Senate amendment 3 to assembly amendment 6 offered by Senator Risser.

The question was: Adoption of senate amendment 3 to assembly amendment 6?

Senator Van Sistine moved rejection of senate amendment 3 to assembly amendment 6.

The question was: Rejection of senate amendment 3 to assembly amendment 6?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Chilsen, Cullen, Czarnezki, Ellis, George, Helbach, Kincaid, Kreul, Lasee, Lee, Moen, Norquist, Otte, Plewa, Roshell, Rude, Strohl, Theno, Ulichny and Van Sistine -- 21.

Noes -- Senators Adelman, Chvala, Davis, Engeleiter, Feingold, Hanaway, Harsdorf, Lekan, Lorman, McCallum, Risser and Stitt -- 12.

Absent or not voting -- None.

So the motion prevailed.

The question was: Concurrence of assembly amendment 6?

Senator Chilsen moved non-concurrence of assembly amendment 6.

The question was: Non-concurrence of assembly amendment 6?

Senator Adelman moved that senate amendment 6 be laid on the table.

The question was: Shall assembly amendment 6 be laid on the table?

By request of Senator Cullen, with unanimous consent, the senate recessed until 2:15 P.M.

12:42 P.M.

RECESS

2:15 P.M.

The senate reconvened.

Senator Rude moved reconsideration of the vote by which senate amendment 1 to assembly amendment 6 was adopted.

By request of Senator Cullen, with unanimous consent, **Senate Joint Resolution 1** was placed after **Senate Bill 581**.

The president of the senate in the chair.

2:26 P.M.

Senate Bill 67

Relating to interest on late state order and contract payments and notification of improperly completed invoices to state agencies.

Read.

The question was: Concurrence of assembly substitute amendment 1?

Senator Chilsen raised the point of order that the president of the senate was required by the Senate Rules to deliver his ruling on **Senate Bill 31**.

By request of Senator Roshell, with unanimous consent, the senate recessed until 3:19 P.M.

2:28 P.M.

RECESS

3:19 P.M.

The senate reconvened.

RULING OF THE CHAIR

Senator from the 6th, Senator George, raised the point of order that referral to the joint committee on finance of Senate Bill 31 was required.

The Chair took the point of order under advisement.

The Senator from the 6th made reference to the fiscal estimates attached to Senate Bill 31 that were prepared in accordance with Joint Rule 41, and the fact that they indicate a negative impact on state funds and therefore require Senate Bill 31 to be referred to the joint committee on finance.

The Senator from the 6th, the Senator from the 20th, Senator Stitt, and others who were heard on the point of order spoke at length about the case law in reference to this question, in particular, the State ex rel. La Follette v. Stitt (Stitt case) and State ex rel. General Motors Corp v. Oak Creek (Oak Creek case).

The Chair is aware of a long list of various decisions relating to a similar question as to whether a legislative act may be invalidated by a court for failure of the legislature to follow its rules of procedure or statutory requirements. As far back as 1891 (McDonald v. State, 80 Wis. 407, 411-412) stated that 'no inquiry will be permitted to ascertain whether the two houses have or have not complied strictly with their own rules in their procedure on the bill, intermediate its introduction and final passage.'

In 1923, State v. P. Lorillard Co., 181 Wis. 347 (at page 372), the question was:

...whether sec. 13.06, (1921) Stats., which required the legislature to refer appropriation bills to the joint committee on finance before passage, meant that such bills had to be referred by each house before final passage. This court, in rejecting the argument that each house had to refer the proposal, pointed out that there was no constitutional requirement involved and moreover, that the statute as written did not require reference by each house. This court

stated: 'This is a question of policy for legislative, not judicial, determination.'

Similarly, the Wisconsin Supreme Court ruled in 1968, in Outagamie County v. Smith, 38 Wis.2d 24, 41, that:

This court will not interfere with the conduct of legislative affairs in the absence of a constitutional mandate to do so or unless either its procedures or end result constitutes a deprivation of constitutionally guaranteed rights. Short of such deprivations which give this court jurisdiction, recourse against legislative errors, nonfeasance or questionable procedure is by political action only.

In only one case, State ex rel. General Motors Corp. v. Oak Creek, 49 Wis.2d 299, 329 (1971), had the Wisconsin Supreme Court ever implied that a statute might be invalid because the Legislature failed to comply with the mandate of a legislative procedure rule expressed as a statute.

In the most recent case, State ex rel. La Follette v. Stitt, the court commented directly on the Oak Creek case. Said the court in the Stitt case:

...Because this dicta is inconsistent with the uniform holding of prior Wisconsin cases and the general rule which limits a court's authority to invalidate legislation only for constitutional violations, we withdraw this language in the Oak Creek case and expressly disavow any implication that this court will invalidate legislation when it finds the legislature has violated a procedural statutory provision in passing an act.

Further the court stated:

...this court will not determine whether internal operating rules or procedural statutes have been complied with by the legislature in the course of its enactments...we will not intermeddle in what we view, in the absence of constitutional directives to the contrary, to be purely legislative concerns...

Courts are reluctant to inquire whether the legislature has complied with legislatively prescribed formalities in enacting a statute. This reluctance stems from separation of power and comity concepts, plus the need for finality and certainty regarding the status of a statute (citing Baker v. Carr, 369 U.S. 186, 215 (1962))...

If the legislature fails to follow self-adopted procedural rules in enacting legislation, and such rules are not mandated by the constitution, courts will not intervene to declare the legislation invalid. The rationale is that failure to follow such procedural rules amounts to an implied ad hoc repeal of such rules.

The Stitt case also quoted Sutherland's Statutory Construction, volume 1 (94th ed.) sec. 7.04 at page 264:

The decisions are nearly unanimous in holding that an act cannot be declared invalid for failure of the house to observe its own rules. Courts will not inquire whether such rules have been

observed in the passage of the act. Likewise, the legislature by statute or joint resolution cannot bind or restrict itself or its successors as to the procedure to be followed in the passage of legislation.

The Attorney General in 63 OAG 305 (1974) stated:

'A bill...would probably result in a valid law even if the procedures specified in (the statutes) are disregarded by the legislature. When an act is passed by both houses, in accordance with constitutional requirements, the courts will not inquire into whether statutory legislative procedures were followed.'

Although the case history indicates that the courts will not intervene to declare legislation invalid for failure of the legislature to follow its rules or procedures, that is not reason for this Senate to disregard its own parliamentary procedures.

Section 13.093(1) governs the referral of bills to the joint committee on finance. It reads as follows: 'All bills introduced in either house of the legislature for the appropriation of money, providing for revenue or relating to taxation shall be referred to the joint committee on finance before being passed.'

The broad language in this section has been interpreted and the precedent has been established requiring every bill with a definite negative state fiscal effect, no matter how small, to be referred to the joint committee on finance.

If a fiscal effect is anticipated but cannot be accurately estimated the bill is usually referred to the joint committee on finance.

The precedent of the Senate is quite clear, bills with a definite negative fiscal estimate have been referred to the joint committee on finance. Therefore, it is the opinion of the Chair that Senate Bill 31 be referred to the joint committee on finance and the point of order is well taken.

FRED A. RISSER
President of the Senate

Senate Bill 31

Relating to obscenity and defining obscene material and obscene performance.

Read a second time.

Senator George asked unanimous consent that **Senate Bill 31** be referred to joint committee on Finance.

Senator Chilsen appealed the ruling of the chair.

The question was: Shall the decision of the chair stand as the judgment of the senate?

The ayes and noes were required and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnetzki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 19.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Leraan, Lorman, McCallum, Rude, Stitt and Theno -- 14.

Absent or not voting -- None.

So the decision of the chair shall stand as the judgment of the senate.

By request of Senator George, with unanimous consent, **Senate Bill 31** was referred to joint committee on Finance.

Senator Chilsen asked unanimous consent that **Senate Bill 31** be withdrawn from joint committee on Finance and taken up at this time.

Senator George objected.

Senate Bill 67

Relating to interest on late state order and contract payments and notification of improperly completed invoices to state agencies.

Read.

The question was: Concurrence of assembly substitute amendment 1?

Concurred in.

Senate Bill 94

Relating to recodifying and making technical and minor substantive changes in the administrative rule-making process.

Read.

The question was: Reconsideration of the vote by which assembly amendment 1 was concurred in?

The motion prevailed.

The question was: Concurrence of assembly amendment 1?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 19; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Leraan, Lorman, McCallum, Rude, Stitt and Theno -- 14.

Noes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnetzki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 19.

Absent or not voting -- None.

So the amendment failed to be concurred in.

Senate Joint Resolution 56

Requesting the legislative council to study the need for long-term health or custodial care insurance and the means for encouraging the offering of such insurance.

Read.

The question was: Adoption of senate amendment 1? Adopted.

The question was: Shall the joint resolution be adopted?

Adopted.

Senate Bill 81

Relating to expanding the type of deferred compensation plans available to public employees.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 81

Read a third time and passed.

Senate Bill 121

Relating to requiring cabooses on trains and creating a penalty.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator George, with unanimous consent, **Senate Bill 121** was referred to joint committee on Finance.

Senate Bill 318

Relating to various changes in the law regulating public utilities, making an appropriation and granting rule-making authority.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 offered by Senator Lasec.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

By request of Senator Strohl, with unanimous consent, senate substitute amendment 1 was placed after senate substitute amendment 2.

By request of Senator Stitt, with unanimous consent, he was excused from voting on **Senate Bill 318** pursuant to **Senate Resolution 76**.

Senate amendment 1 to senate substitute amendment 2 offered by Senator Helbach.

The question was: Adoption of senate amendment 1 to senate substitute amendment 2?

Adopted.

Senate amendment 2 to senate substitute amendment 2 offered by Senator Strohl.

The question was: Adoption of senate amendment 2 to senate substitute amendment 2?

Adopted.

Senate amendment 3 to senate substitute amendment 2 offered by Senators Davis and Strohl.

Senate amendment 1 to senate amendment 3 to senate substitute amendment 2 offered by Senator Davis.

By request of Senator Davis, with unanimous consent, senate amendment 3 to senate substitute

amendment 2 was placed after senate amendment 8 to senate substitute amendment 2.

Senate amendment 4 to senate substitute amendment 2 offered by Senator Strohl.

The question was: Adoption of senate amendment 4 to senate substitute amendment 2?

Adopted.

Senate amendment 5 to senate substitute amendment 2 offered by Senators Van Sistine and Lekan.

The question was: Adoption of senate amendment 5 to senate substitute amendment 2?

Adopted.

Senate amendment 6 to senate substitute amendment 2 offered by Senators Norquist and Andrea.

The question was: Adoption of senate amendment 6 to senate substitute amendment 2?

By request of Senator Strohl, with unanimous consent, senate amendment 6 to senate substitute amendment 2 was returned to the author.

Senate amendment 7 to senate substitute amendment 2 offered by Senator Lasec.

The question was: Adoption of senate amendment 7 to senate substitute amendment 2?

Senator Strohl moved rejection of senate amendment 7 to senate substitute amendment 2.

The question was: Rejection of senate amendment 7 to senate substitute amendment 2?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 19; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chvala, Cullen, Czarnecki, Feingold, Lee, Norquist, Otte, Plewa, Risser, Roshell, Strohl and Ulichny -- 13.

Noes -- Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasec, Lekan, Lorman, McCallum, Moen, Rude, Theno and Van Sistine -- 19.

Absent or not voting -- Senator Stitt -- 1.

So the motion did not prevail.

The question was: Adoption of senate amendment 7 to senate substitute amendment 2?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 12; absent or not voting, 1; as follows:

Ayes -- Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasec, Lekan, Lorman, McCallum, Moen, Roshell, Rude, Theno and Van Sistine -- 20.

Noes -- Senators Adelman, Chvala, Cullen, Czarnecki, Feingold, Lee, Norquist, Otte, Plewa, Risser, Strohl and Ulichny -- 12.

Absent or not voting -- Senator Stitt -- 1.

So the amendment was adopted.

Senate amendment 8 to senate substitute amendment 2 offered by Senator Davis.

The question was: Adoption of senate amendment 8 to senate substitute amendment 2?

Adopted.

The question was: Adoption of senate amendment 1 to senate amendment 3 to senate substitute amendment 2?

By request of Senator Chvala, with unanimous consent, senate amendment 3 to senate substitute amendment 2 was returned to the author.

Senate amendment 9 to senate substitute amendment 2 offered by Senators Norquist and Andrea.

The question was: Adoption of senate amendment 9 to senate substitute amendment 2?

Senator Strohl moved rejection of senate amendment 9 to senate substitute amendment 2.

The question was: Rejection of senate amendment 9 to senate substitute amendment 2?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 11; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Davis, Ellis, Engeleiter, George, Hanaway, Harsdorf, Kincaid, Kreul, Lasee, Leean, Lorman, McCallum, Risser, Roshell, Rude, Strohl, Theno and Ulichny -- 21.

Noes -- Senators Andrea, Chvala, Czarnezki, Feingold, Helbach, Lee, Moen, Norquist, Otte, Plewa and Van Sistine -- 11.

Absent or not voting -- Senator Stitt -- 1.

So the motion prevailed.

The question was: Adoption of senate substitute amendment 2?

Adopted.

By request of Senator Lee, with unanimous consent, senate substitute amendment 1 was laid on the table.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 318

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Strohl, Theno, Ulichny and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- Senator Stitt -- 1.

So the bill passed.

Senate Bill 356

Relating to crime victim compensation.

Read a second time.

By request of Senator George, with unanimous consent, Senate Bill 356 was referred to joint committee on Finance.

Senate Bill 371

Relating to creating an inactive licensee category for real estate brokers and salespersons, changing the educational requirements for brokers and salespersons and granting rule-making authority.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 371

Read a third time and passed.

Senate Bill 378

Relating to payment of fines as a condition of probation.

Read a second time.

Senate amendment 1 offered by Senators Lee, Ulichny and Chvala.

The question was: Adoption of senate amendment 1?

By request of Senator George, with unanimous consent, Senate Bill 378 was referred to joint committee on Finance.

Senate Bill 414

Relating to human service vehicle equipment and operation, granting rule-making authority and providing a penalty.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator George, with unanimous consent, Senate Bill 414 was referred to the joint committee on Finance.

By request of Senator George, with unanimous consent, Senate Bill 414 was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 414

Read a third time and passed.

Senate Bill 437

Relating to the information on equalized values that the department of revenue is required to provide.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 437

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Lekan, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the bill passed.

Senate Bill 471

Relating to migrant worker recruitment and hiring, removing the correction period for certain repeated violations of the migrant labor work agreement and camp certification laws, increasing the penalty for certain repeated violations of the migrant labor camp certification law and providing a penalty.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 471

Read a third time and passed.

Senate Bill 484

Relating to expenditure deadlines in tax incremental finance districts.

Read a second time.

Senate substitute amendment 1 offered by Senator Ulichny.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Ulichny, with unanimous consent, senate substitute amendment 1 was returned to the author.

Senator Helbach moved indefinite postponement of **Senate Bill 484**.

The question was: Shall **Senate Bill 484** be indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 19; absent or not voting, 0; as follows:

Ayes -- Senators Chvala, Czarnezki, Feingold, George, Helbach, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude and Van Sistine -- 14.

Noes -- Senators Adelman, Andrea, Chilsen, Cullen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kincaid, Kreul, Lasee, Lekan, Lorman, McCallum, Stitt, Strohl, Theno and Ulichny -- 19.

Absent or not voting -- None.

So the motion did not prevail.

Senator Helbach moved that **Senate Bill 484** be referred to joint committee on Finance.

The question was: Shall **Senate Bill 484** be referred to joint committee on Finance?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Czarnezki, Davis, Feingold, George, Helbach, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl and Van Sistine -- 18.

Noes -- Senators Cullen, Ellis, Engeleiter, Hanaway, Harsdorf, Kincaid, Kreul, Lasee, Lekan, Lorman, McCallum, Rude, Stitt, Theno and Ulichny -- 15.

Absent or not voting -- None.

So the motion prevailed.

Senate Bill 499

Relating to creating a crime prevention program for juvenile offenders and making an appropriation.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator George, with unanimous consent, **Senate Bill 499** was referred to joint committee on Finance.

Senate Bill 555

Relating to replacement registration plates.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator George, with unanimous consent, **Senate Bill 555** was referred to joint committee on Finance.

Senate Bill 581

Relating to testing infants for congenital disorders and making an appropriation.

Read a second time.

Senate amendment 1 offered by Senator Otte.

The question was: Adoption of senate amendment 1? Adopted.

Senator Helbach in the chair.

5:14 P.M.

By request of Senator George, with unanimous consent, **Senate Bill 581** was referred to the joint committee on Finance.

By request of Senator George, with unanimous consent, **Senate Bill 581** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 581

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 1; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Lecan, Lorman, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 32.

Noes -- Senators McCallum -- 1.

Absent or not voting -- None.

So the bill passed.

Senate Joint Resolution 1

Relating to authorizing the creation of a Wisconsin state lottery (first consideration).

Read.

The question was: Reconsideration of the vote by which senate amendment 1 to assembly amendment 6 was concurred in?

Senator Lee asked unanimous consent that senate amendment 4 to assembly amendment 6 be considered at this time.

Senator Risser objected.

The question was: Reconsideration of the vote by which senate amendment 1 to assembly amendment 6 was concurred in?

Senator Van Sistine moved that the motion for reconsideration be laid on the table.

The question was: Shall the motion for reconsideration of the vote by which senate amendment 1 to assembly amendment 6 was concurred in be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Chilsen, Cullen, Ellis, George, Helbach, Kincaid, Lasee, Lee, Moen, Otte, Plewa, Roshell, Strohl, Theno, Ulichny and Van Sistine -- 17.

Noes -- Senators Adelman, Chvala, Czarnecki, Davis, Engeleiter, Feingold, Hanaway, Harsdorf, Kreul, Lecan, Lorman, McCallum, Norquist, Risser, Rude and Stitt -- 16.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 4 to assembly amendment 6 offered by Senator Lee.

The question was: Adoption of senate amendment 4 to assembly amendment 6?

Senator Adelman moved rejection of senate amendment 4 to assembly amendment 6.

The question was: Rejection of senate amendment 4 to assembly amendment 6?

By request of Senator Lee, with unanimous consent, senate amendment 4 to assembly amendment 6 was laid on the table.

By request of Senator Engeleiter, with unanimous consent, the motion for reconsideration of the vote by which senate amendment 1 to assembly amendment 6 was concurred in was taken from the table and considered at this time.

The question was: Reconsideration of the vote by which senate amendment 1 to assembly amendment 6 was concurred?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chvala, Czarnecki, Davis, Engeleiter, Feingold, Hanaway, Harsdorf, Helbach, Kreul, Lecan, Lorman, McCallum, Norquist, Risser, Rude, Stitt and Ulichny -- 18.

Noes -- Senators Andrea, Chilsen, Cullen, Ellis, George, Kincaid, Lasee, Lee, Moen, Otte, Plewa, Roshell, Strohl, Theno and Van Sistine -- 15.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 1 to assembly amendment 6?

Senator Van Sistine asked unanimous consent that **Senate Joint Resolution 1** be referred to committee on Senate Organization.

Senator Adelman objected.

Senator Van Sistine moved that **Senate Joint Resolution 1** be referred to committee on Senate Organization.

The question was: Shall **Senate Joint Resolution 1** be referred to committee on Senate Organization?

The motion prevailed.

Assembly Bill 10

Relating to designating the trilobite as Wisconsin's state fossil.

Read a second time.

Senator Theno moved that **Assembly Bill 10** be referred to joint committee on Finance.

The question was: Shall **Assembly Bill 10** be referred to joint committee on Finance.
The motion did not prevail.

Senator Theno moved non-concurrence of **Assembly Bill 10**.

The question was: Shall **Assembly Bill 10** be non-concurred in?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 18; absent or not voting, 0; as follows:

Ayes -- Senators Chvala, Engeleiter, George, Kreul, Lasee, Lee, McCallum, Otte, Risser, Roshell, Rude, Stitt, Strohl, Theno and Ulichny -- 15.

Noes -- Senators Adelman, Andrea, Chilsen, Cullen, Czarnecki, Davis, Ellis, Feingold, Hanaway, Harsdorf, Helbach, Kincaid, Lekan, Lorman, Moen, Norquist, Plewa and Van Sistine -- 18.

Absent or not voting -- None.

So the motion did not prevail.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 10

Read a third time and concurred in.

Assembly Bill 16

Relating to designating the American water spaniel as the state dog.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 16

Read a third time.

The president of the senate in the chair.

6:40 P.M.

Senator Lee moved non-concurrence of **Assembly Bill 16**.

The question was: Shall **Assembly Bill 16** be non-concurred in?

The ayes and noes were demanded and the vote was: ayes, 9; noes, 24; absent or not voting, 0; as follows:

Ayes -- Senators Chvala, Lee, McCallum, Norquist, Risser, Roshell, Rude, Strohl and Theno -- 9.

Noes -- Senators Adelman, Andrea, Chilsen, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lekan, Lorman, Moen, Otte, Plewa, Stitt, Ulichny and Van Sistine -- 24.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Shall the bill be concurred in?
Concurred in.

Assembly Bill 330

Relating to redistributing loads on motor vehicles and providing a penalty.

Read a second time.

By request of Senator George, with unanimous consent, **Assembly Bill 330** was referred to joint committee on Finance.

Assembly Bill 449

Relating to permanent registration of certain semitrailers, eliminating permits for the operation of semitrailers in intrastate commerce and eliminating permits for the rental or leasing of semitrailers.

Read a second time.

By request of Senator George, with unanimous consent, **Assembly Bill 449** was referred to joint committee on Finance.

By request of the president of the senate, with unanimous consent, the Senate returned to the second, third and fourth orders of business.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 76

Relating to observing the week of April 6 to 12, 1986, as 'Women in Human Resources Week'.

By Senators Ulichny, Risser, Kincaid, Norquist, Moen, Hanaway, Kreul, Lekan, Czarnecki, Lorman and Plewa; cosponsored by Representatives Metz, Hubler, Schneiders, Rutkowski, Notestein, Barca, Grobschmidt, Krug, R. Young, M. Coggs, Buettner, Zeuske, Magnuson, Huelsman, Matty and Neubauer, by request of the International Association for Personnel Women.

Read and referred to committee on Senate Organization.

Senate Joint Resolution 77

Relating to designation of September 21 to 27, 1986, as Emergency Medical Services Week.

By Senators Moen, Rude, Czarnecki, Otte, Feingold, Harsdorf, Kreul, Lorman, McCallum, Adelman, Kincaid, Strohl, Cullen and Risser; cosponsored by Representatives Barrett, Plizka, Gronemus, Radtke, Tregoning, Krug, J. Young, Grobschmidt, Schneiders, Magnuson, Antaramian, Neubauer, Kasten, Buettner, Musser, Johnsrud, Van Gorden, Black and Ladwig.

Read and referred to committee on Senate Organization.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 616

Relating to security from banks for public deposits.
By Senator Feingold.

To committee on Aging, Banking, Commercial Credit and Taxation.

Senate Bill 617

Relating to reelection of reimbursement financing of unemployment compensation benefits by nonprofit organizations.

By Senators Moen, Kreul and Lorman; cosponsored by Representatives Holschbach and J. Young.

To committee on Labor, Business, Veterans Affairs and Insurance.

Senate Bill 618

Relating to the regulation and licensing of commercial clamming, granting rule-making authority and providing penalties.

By Senators Rude, Helbach, Harsdorf and Ellis; cosponsored by Representatives Medinger, Johnsrud, Clements, Gronemus and Berndt.

To committee on Energy and Environmental Resources.

COMMITTEE REPORTS

The committee on Economic Development reports and recommends:

Assembly Bill 679

Relating to use of industrial development bonds by cities, villages and towns to finance the acquisition and rehabilitation of existing property.

Concurrence:

Ayes, 5 -- Senators Ulichny, Cullen, Czarnecki, Hanaway and McCallum;

Noes, 0 -- None.

Assembly Bill 718

Relating to filing and recording articles of incorporation.

Concurrence:

Ayes, 5 -- Senators Ulichny, Cullen, Czarnecki, Hanaway and McCallum;

Noes, 0 -- None.

BARBARA L. ULICHNY
Chair

The committee on Labor, Business, Veterans Affairs and Insurance reports and recommends:

SCHNOLL, HOWARD M., of Brown Deer, as a member of the Accounting Examining Board, to serve for the term ending July 1, 1987.

Confirmation:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

ACKLEY, VICKI, of Lac du Flambeau, as a member of the Community Development Finance Authority to serve for the term ending September 1, 1990.

Confirmation:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Senate Bill 515

Relating to employe actions for damages resulting from, and referral for prosecution for, failure to notify of cessation of business operations.

Adoption of senate substitute amendment 1:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Senate Bill 517

Relating to employment of minors 11 years of age or over in the sale of newspapers.

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Senate Bill 518

Relating to membership's in Red Arrow Clubs.

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Senate Bill 542

Relating to use of profits from bingo games by a licensed organization.

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Assembly Bill 536

Relating to applications for veterans' economic assistance loans.

Concurrence:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

JEROME VAN SISTINE
Chair

The committee on Tourism, Revenue, Financial Institutions and Forestry reports and recommends:

Senate Bill 506

Relating to the definition of 'cowowner' for purposes of the property tax deferral program.

Passage:

Ayes, 4 -- Senators Kincaid, Ulichny, Ellis and Leean;

Noes, 0 -- None.

Assembly Bill 655

Relating to removing the requirement that bingo accounts be established only in financial institutions that return cancelled checks.

Concurrence:

Ayes, 4 -- Senators Kincaid, Ulichny, Ellis and Leean;

Noes, 0 -- None.

Assembly Bill 702

Relating to the distribution of property assessment manuals.

Concurrence:

Ayes, 4 -- Senators Kincaid, Ulichny, Ellis and Leean;

Noes, 0 -- None.

Assembly Joint Resolution 43

Relating to a legislative council study of revising chapter 74 of the Wisconsin statutes.

Concurrence:

Ayes, 4 -- Senators Kincaid, Ulichny, Ellis and Leean;

Noes, 0 -- None.

LLOYD H. KINCAID

Chair

The committee on Aging, Banking, Commercial Credit and Taxation reports and recommends:

Senate Bill 434

Relating to allowing the secretary of employe trust funds to include information about certain retirement organizations in department mailings to annuitants.

Introduction and adoption of senate amendment 1 to senate substitute amendment 1:

Ayes, 10 -- Senators Feingold, Plewa, Czarnezki, Kincaid, Helbach, Moen, Kreul, Lorman, Davis and Chilsen;

Noes, 0 -- None.

Introduction and adoption of senate amendment 2 to senate substitute amendment 1:

Ayes, 10 -- Senators Feingold, Plewa, Czarnezki, Kincaid, Helbach, Moen, Kreul, Lorman, Davis and Chilsen;

Noes, 0 -- None.

Adoption of senate substitute amendment 1:

Ayes, 9 -- Senators Feingold, Plewa, Czarnezki, Kincaid, Helbach, Moen, Kreul, Lorman and Chilsen;

Noes, 1 -- Senator Davis.

Passage as amended:

Ayes, 9 -- Senators Feingold, Plewa, Czarnezki, Kincaid, Helbach, Moen, Kreul, Lorman and Chilsen;

Noes, 1 -- Senator Davis.

Senate Bill 510

Relating to permitting the direct return of unpaid checks to the bank in which first deposited.

Passage:

Ayes, 10 -- Senators Feingold, Plewa, Czarnezki, Kincaid, Helbach, Moen, Kreul, Lorman, Davis and Chilsen;

Noes, 0 -- None.

RUSS FEINGOLD

Chair

The committee on Education and Government Operations reports and recommends:

Senate Bill 539

Relating to providing special adjustment aids to consolidated school districts.

Passage:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

Assembly Bill 603

Relating to various changes to the statutes pertaining to elementary and secondary education.

Introduction and adoption of senate amendment 1:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

JOSEPH J. CZARNEZKI

Chair

The committee on Urban Affairs, Utilities and Elections reports and recommends:

Senate Bill 553

Relating to qualifications for, and appointment of, the tax commissioner of 1st class cities.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Lasec and Rude;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Lasec and Rude;

Noes, 0 -- None.

Assembly Bill 9

Relating to town disapproval of proposed county zoning changes.

Concurrence:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Lasec and Rude;

Noes, 0 -- None.

Assembly Bill 315

Relating to assessments of cemetery lots for care of lots and improvements of cemeteries.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Lasec and Rude;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 4 -- Senators Lee, Strohl, Van Sistine and Rude;

Noes, 1 -- Senator Lasee.

Assembly Bill 461

Relating to using prisoners to maintain county jails.

Concurrence:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Lasee and Rude;

Noes, 0 -- None.

Assembly Bill 631

Relating to appointments of commissioners of a city redevelopment authority.

Concurrence:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Lasee and Rude;

Noes, 0 -- None.

MORDECAI LEE

Chair

The committee on Agriculture, Health and Human Services reports and recommends:

OLIVIERI, JOSE, of Greenfield, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 1990.

Confirmation:

Ayes, 10 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Strohl, Harsdorf, Lorman, Rude and Chilsen;

Noes, 0 -- None.

Senate Bill 475

Relating to human service vehicles and school buses.

Passage:

Ayes, 9 -- Senators Moen, Norquist, Feingold, Ulichny, Strohl, Harsdorf, Lorman, Rude and Chilsen;

Noes, 1 -- Senator Otte.

Senate Bill 547

Relating to release of information from mental health treatment records to law enforcement agencies.

Passage:

Ayes, 8 -- Senators Moen, Feingold, Ulichny, Strohl, Harsdorf, Lorman, Rude and Chilsen;

Noes, 2 -- Senators Otte and Norquist.

Senate Bill 562

Relating to medical assistance coverage for gastric bypass surgery.

Passage:

Ayes, 10 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Strohl, Harsdorf, Lorman, Rude and Chilsen;

Noes, 0 -- None.

Assembly Bill 648

Relating to emergency slaughter, definition of diseased animal and granting rule-making authority.

Concurrence:

Ayes, 10 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Strohl, Harsdorf, Lorman, Rude and Chilsen;

Noes, 0 -- None.

Assembly Bill 677

Relating to creating penalties for persons subject to juvenile court jurisdiction who escape from custody.

Introduction and adoption of senate amendment 1:

Ayes, 10 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Strohl, Harsdorf, Lorman, Rude and Chilsen;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 10 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Strohl, Harsdorf, Lorman, Rude and Chilsen;

Noes, 0 -- None.

Senate Bill 565

Relating to establishing a correctional institution in the town of Dover, creating a committee and increasing an appropriation.

Adoption of senate amendment 1:

Ayes, 6 -- Senators Feingold, Norquist, Harsdorf, Lorman, Rude and Chilsen;

Noes, 4 -- Senators Moen, Otte, Ulichny and Strohl.

Passage as amended:

Ayes, 6 -- Senators Moen, Strohl, Harsdorf, Lorman, Rude and Chilsen;

Noes, 4 -- Senators Otte, Feingold, Norquist and Ulichny.

RODNEY C. MOEN

Chair

Report of

Committee of Conference
on

Assembly Bill 100

The members of the Committee of Conference on **Assembly Bill 100** report and recommend that, by the adoption of this report:

1. Prior senate action. The senate recedes from its position on senate substitute amendment 1.

2. Prior assembly action. The assembly recedes from its position on assembly amendments 1 and 2 to senate substitute amendment 1.

3. Action on conference report. The senate and the assembly adopt and concur in conference substitute amendment 1 (LRBs0584/1), which is attached to and made a part of this report.

Sen. Otte

Rep. Medinger

Sen. Moen

Rep. Potter

Sen. Engelleiter

Rep. York

REPORT OF JOINT SURVEY COMMITTEE ON
RETIREMENT SYSTEMS

Appendix to Senate Bill 579

Public Policy Involved

The modified retirement plan for certain state executives was first contained in the compensation package for non-represented state employees enacted during the 1973 session. Coverage under the state executive plan has been gradually extended nearly every session, and about 200 state executives are now covered by this plan.

This modified retirement plan has frequently led to questions of equity and discrimination by other participants of the WRS. Also, amendments to the state and federal age discrimination laws have removed the ability of state agencies to retire such executives at age 62, unless such retirement is for cause.

The limitation on the state executive retirement plan relative to earnings and service credit through age 62 has negatively affected those state executives choosing to remain in covered service after that age. The 1985 Budget Bill clearly illustrates the problems with this plan by bringing eight new positions under the plan at the same time that it took existing individuals out of said plan. Because of questions relative to equity, discrimination, and the need and rationale for a separate plan just for state executives, the RRC has recommended the repeal of this plan, but with a "grandfather election right" relative to those now covered by said plan.

JOSEPH ANDREA
Co-Chair

JOHN VOLK

Co-Chair

Referred to committee on Education and Government Operations.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

By request of Senators Chilsen and Risser, the senate adjourned in honor of Mrs. Berde Grass' second grade students at Orchard Hill School, who are participating in a parent-in-the-classroom program.

By request of Senator Ulichny, with unanimous consent, the senate adjourned in honor of International Women's Day, March 8.

By request of Senator Rude, with unanimous consent, the senate adjourned in honor of the Washington Junior High School, New London.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Tuesday, March 11.

7:00 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 590

1. Page 1, line 1: delete "23.11(4) and".

Senate Bill 588

1. Page 29, line 26: after "46.21" insert "(2)(j) and amended to read:".